THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NOs.24316, 24321, 24322, 24331, 24338 and 24342 of 2006

DATED 24.11.2006

WP No.24316/2006

Between:

M/s. Shiva Sai Polymers, Factory
located at Borevanipalem,
represented by its Proprietrix
P.Saroja. .. PETITIONER

Versus

Commissioner, Greater Visakhapatnam
Municipal Corporation, Visakhapatnam
and another. .. RESPONDENTS

WP No.24321/2006

Between:

M/s. Sree Lakshmi Plastics Industries, Factory
located at D-27, Industrial Estate,
represented by its Proprietor
T.S.A.Murthy Reddy. .. PETITIONER

Versus

Commissioner, Greater Visakhapatnam
Municipal Corporation, Visakhapatnam
and another. .. RESPONDENTS

WP No.24322/2006

Between:

M/s. Arunodaya Polyfilms, Factory
located at Paradesipalem,
represented by its Managing Partner
A.P.Chitra. .. PETITIONER

Versus

Commissioner, Greater Visakhapatnam
Municipal Corporation, Visakhapatnam
and another. .. RESPONDENTS

WP No.24331/2006
Between:
M/s. Chandana Plastics, Unit
Located at D2 Block, 'D' Autonagar,
Visakhapatnam, represented by its
Proprietor A.S.N.Raju. .. PETITIONER

Versus

Commissioner, Greater Visakhapatnam
Municipal Corporation, Visakhapatnam
and another. .. RESPONDENTS

WP No.24338/2006
Between:
M/s. Chaitanya Poly Pack Industries, Unit
Located at D2 (A) Block, 'D' Autonagar,
Visakhapatnam, represented by its
Proprietor B.Rama Raju. .. PETITIONER

Versus

Commissioner, Greater Visakhapatnam
Municipal Corporation, Visakhapatnam
and another. .. RESPONDENTS

WP No.24342/2006
Between:
M/s. Lunar Poly Packs, Unit
Located at Plot No.77, Block 'E' Autonagar,
Visakhapatnam, represented by its
Proprietor K.P.R.V.Prasad Raju. .. PETITIONER

Versus

Commissioner, Greater Visakhapatnam
Municipal Corporation, Visakhapatnam
and another. .. RESPONDENTS

WRIT PETITION NOs.24316, 24321, 24322, 24331, 24338 and 24342 of 2006

COMMON ORDER:

Heard Sri Simhadri, learned counsel representing the writ

petitioners in all these Writ Petitions and Sri N.Ranga Reddy, learned Standing Counsel representing the respondents.

2. These Writ Petitions are filed by the petitioners in this batch of Writ Petitions questioning the notices impugned in the respective Writ Petitions, whereunder straight away penalty of Rs.2,500/- had been imposed on the respective petitioners and further specifying that the Municipal Corporation is empowered to cancel the licenses.

3. It is stated that on the next day of the notices impugned, the petitioners made representations to the Commissioner, Greater Visakha Municipal Corporation. Several factual details are narrated in the respective affidavits filed in support of these Writ Petitions.

4. On a reading of the impugned orders, it is clear that no opportunity as such to the petitioners had been given before making these impugned orders in this batch of Writ Petitions. However, inasmuch it is stated that suitable explanations had been submitted in relation thereto the very next day by the respective writ petitioners, this Court is of the considered opinion that an opportunity to be given to the writ petitioners. In the light of the same, the impugned orders are hereby set aside. However, this may not come in the way of the respondents to issue fresh notices in accordance with law, if they require to do so.

5. Accordingly, the Writ Petitions are hereby allowed. No costs.

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24.11.2006

SSR